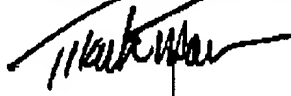




| | |
|---|---|
| CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §§ 1.6(d) and 1.8 | |
| I hereby certify that this correspondence is being sent via facsimile transmission to 703-746-4060 on the date below: | |
| September 7, 2004 Date |  Signature |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
ALFRED S. LEWIN
LYNN C. SHAW
MARIA B. GRANT

Group Art Unit: 1632

Examiner: Unknown

Serial No.: 09/847,601

Atty. Dkt. No.: 4300.014100

Filed: May 1, 2001

Customer No.: 23720

For: ADENO-ASSOCIATED VIRUS-
DELIVERED RIBOZYME
COMPOSITIONS AND METHODS FOR
THE TREATMENT OF RETINAL
DISEASES

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition for the withdrawal of the Notice of Abandonment Under 37 C.F.R. 1.53(f) or (g) mailed August 24, 2004 (copy attached), which stated that the application had been abandoned for failure to timely or properly reply to the Notice to File Missing Parts mailed on August 28, 2003. However, Applicants did respond to that Notice as evidenced by the attached copy of the Response and the postcard returned from the Patent Office indicating receipt of the Response on September 12, 2003. As further evidence of Applicants' response, attached is a copy of the printout from PAIR indicating that on September 24, 2004, the computer

readable form of the sequence listing was found to be good technically and was entered into the database.

It is believed that no fees are due. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4300.014100.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720



Date: September 7, 2004

Mark D. Moore
Reg. No. 42,903
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS



| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 09/847,601 | 05/01/2001 | Alfred S. Lewin | 4300.014100 |

CONFIRMATION NO. 7183

**ABANDONMENT/TERMINATION
LETTER**

OC000000013628209

023720
WILLIAMS, MORGAN & AMERSON, P.C.
10333 RICHMOND, SUITE 1100
HOUSTON, TX 77042

Date Mailed: 08/24/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/28/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice MUST be returned with the reply.

2-Moguss
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Please indicate receipt of the below-identified paper:

| | |
|--|---|
| <input type="checkbox"/> New Application For: | Priority Date: |
| <input type="checkbox"/> Foreign priority already claimed | <input type="checkbox"/> Nonpublication Request |
| <input type="checkbox"/> Continuation | <input type="checkbox"/> CIP |
| <input type="checkbox"/> Specification: Pages | <input type="checkbox"/> Divisional |
| <input type="checkbox"/> Drawings: Sheets | |
| <input type="checkbox"/> Response to Office Action Dated: | <input type="checkbox"/> Final Rejection |
| <input checked="" type="checkbox"/> Other: RESPONSE TO NOTICE RE SEQUENCE LISTING; SUBSTITUTE SEQUENCE LISTING (PAPER COPY AND COMPUTER DISK) AND STATEMENT: THIRD PRELIMINARY AMENDMENT | |
| <input type="checkbox"/> Assignment Enclosed | <input checked="" type="checkbox"/> Cert. of Timely Mailing |
| <input type="checkbox"/> Exp. Mail: | |



IDENTIFICATION OF APPLICATION

| | |
|---|--------------------------------|
| Serial No.: 09/847,601 | |
| Title: ADENO-ASSOCIATED VIRUS-DELIVERED RIBOZYME COMPOSITIONS AND METHODS FOR THE TREATMENT OF RETINAL DISEASES | |
| Applicant: ALFRED S. LEWIN et al. | Att'y/Agent: MDM |
| Client: UNIVERSITY OF FLORIDA | File No.: 4300.014100 |
| Mailed: SEPT. 10, 2003 | Filed: Due Date: OCT. 28, 2003 |

CERTIFICATE OF MAILING
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 10, 2003
Date

Mark H. Hosen
Signature

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ALFRED S. LEWIN
LYNN C. SHAW
MARIA B. GRANT

Group Art Unit: 1632

Examiner: Unknown

Serial No.: 09/847,601

Atty. Dkt. No.: 4300.014100

Filed: May 1, 2001

Customer No.: 23720

For: ADENO-ASSOCIATED VIRUS-
DELIVERED RIBOZYME
COMPOSITIONS AND METHODS FOR
THE TREATMENT OF RETINAL
DISEASES

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, there are enclosed herewith:

- (1) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g) and Substitute Sequence Listing (on paper and computer disk);

- (2) Third Preliminary Amendment; and
- (3) a copy of the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON
CUSTOMER NO. 23720

Date: September 10, 2003



Mark D. Moore
Reg. No. 42,903
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4084
(713) 934-7011 (facsimile)

AGENT FOR APPLICANTS



DISK MAILER

DOCKET REFERENCE NO.: 4300.014100
APPLICANT(S): LEWIN *et al.*
TITLE: "ADENO-ASSOCIATED VIRUS-
DELIVERED RIBOZYME COMPOSITIONS
AND METHODS FOR THE TREATMENT
OF RETINAL DISEASES"
SERIAL NO. 09/847,601
DATE RECORDED ON DISKETTE: 10-SEP-2003
COMPUTER: IBM PC COMPATIBLE
OPERATING SYSTEM: PC-DOS/MS-DOS/ASCII
SOFTWARE: PatmetIn Version 3.2

CAUTION

Do not bend or fold
Avoid exposure to all magnetic fields

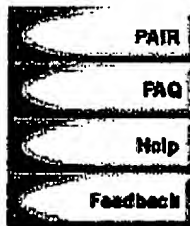
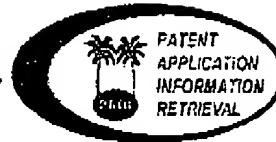


United States Patent and Trademark Office

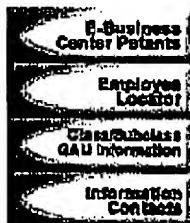
Home | Site Index | Search | Guides | Contacts | eBusiness | eBiz alerts | News | Help



PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Printer Friendly Version

Search results as of: 9-7-2004::11:21

| Search results for application number: 09/847,601 | | | |
|---|--|----------------------------|--|
| Application Number: | 09/847,601 | Customer Number: | 23720 |
| Filing or 371(c) Date: | 05-01-2001 | Status: | Abandoned - Incomplete Application (Pre-examination) |
| Application Type: | Utility | Status Date: | 08-24-2004 |
| Examiner Name: | - | Location: | FILE REPOSITORY (FRANCONIA) |
| Group Art Unit: | 1632 | Location Date: | 08-26-2004 |
| Confirmation Number: | 7183 | Earliest Publication No: | - |
| Attorney Docket Number: | 4300.014100 | Earliest Publication Date: | - |
| Class/ Sub-Class: | 514/- | Patent Number: | - |
| First Named Inventor: | Alfred Lewin, Gainesville, FL (US) | Issue Date of Patent: | - |
| Title Of Invention: | Adeno-associated virus-delivered ribozyme compositions and methods for the treatment of retinal diseases | | |

Select Search Option



Search

| File History | |
|--------------|---|
| Date | Contents Description |
| 10-29-2003 | Abandonment - During Preexam Processing |
| 09-24-2003 | CRF Is Good Technically / Entered into Database |
| 08-28-2003 | SEQUENCE ERRORS |
| 05-09-2003 | Additional Application Filing Fees |
| 05-09-2003 | CRF Disk Has Been Received by Preexam / Group / PCT |
| 06-05-2003 | CRF Is Flawed Technically / Not Entered into Database |
| 04-01-2003 | SEQUENCE ERRORS |
| 09-12-2001 | Payment of additional filing fee/Preexam |
| 09-12-2001 | CRF Disk Has Been Received by Preexam / Group / PCT |
| 09-12-2001 | A set of symbols and procedures, provided to the PTO on a set of listings, that describe in |
| 09-12-2001 | A statement by one or more inventors satisfying the requirement under 37 CFR 1.115, Oath of the Applicant |
| 09-12-2001 | Applicant has submitted new drawings to correct Corrected Papers |
| 03-28-2003 | CRF Does Not Match Application Specification - Applicant Must Correct |

| | |
|------------|---|
| 07-12-2001 | Notice Mailed--Application Incomplete--Filing Date Assigned |
| 07-11-2001 | Correspondence Address Change |
| 05-10-2001 | IFW Scan & PACR Auto Security Review |
| 05-01-2001 | Initial Exam Team nn |

[\[.HOME\]](#)[\[INDEX\]](#)[\[SEARCH\]](#)[\[eBUSINESS\]](#)[\[CONTACT US\]](#)[\[PRIVACY STATEMENT\]](#)



**WILLIAMS, MORGAN & AMERSON, P.C.**10333 Richmond, Suite 1100, Houston, TX 77042
(713) 934-7000 Fax (713) 934-7011**Fax****To:** U.S. Patent Office**From:** Mark D. Moore, Ph.D.

ATTN: Missing Parts

Fax: 703-746-4060**Phone:** 713-934-4084**No. of****Pages:*** 51**Date:** September 7, 2004**Re:** S/N 09/847,601**File:** 4300.014100☐ **Urgent** ☐ **For Review** ☐ **For Your File** ☐ **Please Reply** ☐ **Please Handle**

* w/o coversheet

ORIGINAL: ___ Will follow ☒ Will not follow● **Comments:****CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Williams, Morgan & Ameron which may be confidential and/or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.